

REMARKS

Claims 1-30 are pending. There are three independent claims: Claim 1, claim 15, and claim 29. Applicant respectfully requests reconsideration and allowance of all pending claims.

The Examiner has rejected all claims as being anticipated by Shea, or being obvious in light of Shea in combination with an additional reference. Applicant respectfully traverses the rejection of the pending claims. Shea (and all of the other cited references) fails to show a light conducting path that is “permanently formed within and non-affixed on” a surface, as recited in each of the independent claims.

The Examiner appears to assert that the limitation in question is shown by Shea at column 3, lines 23-35. However, a review of Shea reveals that the light conductive path in Shea is not provided at the surface of the helmet. Instead, in Shea the fiber optic transmitters are placed between the body and the shell of the helmet. Alternatively, Shea notes that the transmitters could be “molded directly into the shell.” (lines 3-35, emphasis added). An embodiment with light transmitters molded into the shell is not shown, nor described in any detail in Shea. Certainly Shea does not show or describe a transmitter that is permanently formed within and not affixed on a surface. In the first instance, the transmitter is between the shell and the body, and apparently not permanently formed within either. In the second instance it is molded within the shell, and not provided at the surface.

It is clear from the description in Shea that by the phrase “into the shell” it is meant that the fiber optics could be embedded inside the shell, not located on the exterior surface. An important feature of the Shea reference is that it uses the emitted light to illuminate a phosphorescent outer shell, rather than to directly provide light, or specific points or focused points of light, to the exterior of the shell. Therefore it would not be sensible to mold the fiber

optic emitters to the exterior surface. Indeed, the worst place to locate the fiber optics in Shea would be on the exterior surface of the shell because that would minimize the amount of light provided to the phosphorescent material.

The independent claims, claims 1, 15, and 29 all recite a light conducting path or fiber optic conductors that are "permanently formed within and non-affixed on" a surface. None of the cited references show this feature. As a result, the rejections based on the Shea reference should be withdrawn, and all of the pending claims should be allowed.

Conclusion

In light of the foregoing, Applicant submits that all of the currently pending claims are in condition for allowance, and respectfully requests that the application be passed to allowance. In the event the Examiner has questions or comments and a telephone conversation would expedite a resolution, the Applicant invites the Examiner to contact the undersigned attorney at (515) 699-3276.

Respectfully submitted,



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